



ATTORNEY'S DOCKET NO: C1037/7013 (HCL/MAT)  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert L. Bratzler, et al.  
Serial No: 09/776,479  
Filed: February 2, 2001  
For: IMMUNOSTIMULATORY NUCLEIC ACIDS FOR THE TREATMENT OF  
ASTHMA AND ALLERGY  
Examiner: Not yet assigned  
Art Unit: 1645

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box Missing Parts, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the 7<sup>th</sup> day of November, 2001.

Maria A. Trevisan, Reg. No. 48,207

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**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- ☒ Notice to File Missing Parts
- ☒ Response to the Notice to File Missing Parts
- ☒ Check for \$954.00
- ☒ Preliminary Amendment
- ☒ Declaration for Patent Application
- ☒ Fee Calculation Sheet
- ☒ Return Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

A check for \$954.00 is enclosed. If any further fee is determined to be due the Examiner is authorized to charged said fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully Submitted,

Maria A. Trevisan, Reg. No.: 48,207  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210-2211  
(617)720-3500

Attorney's Docket No.: C0137/7013  
Date: November 7, 2001  
x12/11/01



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Maria A. Trevisan, Reg. No. 48,207

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**BOX MISSING PARTS**  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS**

This is in response to the Notice to File Missing Parts of Non-Provisional Application mailed from the United States Patent and Trademark Office on October 11, 2001.

Attached is the Declaration and Power of Attorney executed by Robert L. Bratzler, Deanna M. Petersen and Yves Fouron as well as a Preliminary Amendment.

Also attached is a check in the amount of \$ 954.00 to cover the cost of the filing fee and the surcharge for filing a late Declaration and Power of Attorney.

Accordingly, Applicants believe that this document is responsive to the Notice to File Missing Parts.

Serial No: 09/776,479

-2-

If any other information is needed, please contact the undersigned attorney by phone (617-720-3500, Ext. 266) to expedite the further prosecution of this patent application.

Respectfully submitted,

WOLF, GREENFIELD & SACKS, P.C.



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Maria A. Trevisan, Reg. No. 48,207  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210-2211  
Attorneys for Applicant(s)  
Tel. no. (617) 720-3500

ATTORNEY'S DOCKET NO.: C1037/7013 (HCL/MAT)

November 7, 2001

x12/11/01



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/776,479	02/02/2001	Robert L. Bratzler	C1037/7013(HCL/MAT)

CONFIRMATION NO. 7139

## FORMALITIES LETTER



\*OC000000006884230\*

Helen C Lockhart  
Wolf Greenfield & Sacks P C  
890 Atlantic Avenue  
Boston, MA 02210

#3

Date Mailed: 10/11/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$368.
  - \$288 for 16 total claims over 20.
  - \$80 for 1 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1208.**

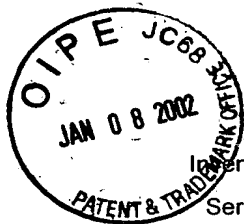
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/14/2002 AHNDADF1 00000053 09776479  
01 FC:101 740.00 BP  
02 FC:105 130.00 BP  
03 FC:102 84.00 BP



Attorney Docket No. C1037/7013 (HCL/MAT)

Inventor(s): Robert L. Bratzler, et al.

Serial No: 09/776,479

Filed: February 2, 2001

CHECK BOX, if applicable:

For: IMMUNOSTIMULATORY NUCLEIC ACIDS FOR THE TREATMENT  
OF ASTHMA AND ALLERGY

☐ DUPLICATE

### Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
	TOTAL CLAIMS (37 CFR 1.16(c))	20-20=	0 x	\$ 18	= \$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	4-3=	1 x	\$ 84	= \$ 84.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$	= \$
				BASIC FEE (37 CFR 1.16(a))	\$ 740.00
	Fee for Petition for Extension of Time (if any)				\$
	Total of above Calculations =				\$ 824.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$
	Assignment Recordation Fee (if any)				\$
	Other Fees (if any).				\$ 130.00
	TOTAL =				\$ 954.00

1. A check in the amount of \$954.00 is enclosed.

#### General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. ☒ If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ ☒ 1.16 ☒ 1.17 or ☐ 1.18, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. ☐ The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ ☐ 1.16 ☐ 1.17 or ☐ 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

Maria A. Trevisan, Reg. No. 48,207  
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600 Atlantic Avenue  
Boston, MA 02210-2211  
(617) 720-3500  
Attorneys of Record

Docket No. C1037/7013 (HCL/MAT)  
Date: November 1, 2001

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